PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE

AND ZONING VARIANCE - S/S * DEPUTY ZONING COMMISSIONER Philadelphia Road, 340' NE to the c/l of Chesaco Avenue * OF BALTIMORE COUNTY 15th Election District 7th Councilmanic District

AMN

* Case No. 88-479-SPXA Rosedale Volunteer Fire Dept. Petitioner

> * * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to use the subject property for a volunteer fire department and community building, and a variance to permit 143 parking spaces in lieu of the required 185 spaces, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by David J. Sicca, Chairman of the Building Committee for the Rosedale Volunteer Fire Department, appeared, testified and was represented by Robert A. Hoffman, Esquire and Regan J. R. Smith, Esquire. Also appearing on behalf of the Petition were Paul Lee of Paul Lee Engineering, Inc., and Mickey Cornelius with the Traffic Group, Inc. There were no Protestants.

Testimony indicated that the subject property, zoned B.M., is located between Philadelphia and Old Philadelphia Roads and was donated to the Petitioner to construct the proposed facility. Mr. Sicca testified that he has been a member of the Rosedale Volunteer Fire Department for 18 years and he is currently the Chairman of the Building Committee. The current firehouse, which is located approximately three blocks from the subject property, is insufficient to house the additional equipment which the fire company wishes to obtain. Mr. Sicca testified the community hall is necessary for fund-raising activities. Mr. Sicca further testified that the proposed facility would meet the needs of the fire company and

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Distort 15th	Date of Posting 5/13/87 Pociol Exception Con Fire Apple
Posted for: Varionics & 5	Declid Exception
Petitioner: Rossdola Volume?	Dor Fire Deple
Location of property: 5/5 Place Red	340' Fl ch-sco Ara
Location of Signe Posting Phil Rel	4 Old Phil Rd apprece 15' Fin
you dway, are for forty	1 Petition or
Remarks:	
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CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 12, 19.88

THE JEFFERSONIAN,

37.50

NOTICE OF HEARING

The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Balti-more County will hold a public

hearing on the property identified herein in Room 10s of the County Office Building, located at 111 W. Chesapeake Avenue in Towson,

Petitions for Zoning Variance and Special Exception Case number, 88-479 XA SS Philadelphia Road, 340 to

Petitioner(s):
Rosedale Volunteer Fire De

of Chesaco Avenue 15th Flection District — 7th Councilmanic District

par ment Hearing Date: Wednesday, hune 1, 1988 at 9:00 a.m.

Variance to permit 143 parking spaces in lieu of the required 183

parking spaces.

Special Exception: A Volunteer Fire

Department and Community Building under Zoning Policy No. BM22. In the event that this Petition is

sioner will, however, antered in any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in

set above or presented at the hear

J. ROBERT HAINES

meet the requirements as set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Mr. Sicca also testified that based on his experience with their present community hall, there would be no adverse impact if the variance were granted and that practical difficulty could occur if strict compliance with the parking regulations was required. Mr. Sicca testified that the Petitioner will control parking by limiting the number of tickets they sell to any function as they do at their present location.

Mr. Lee testified that the proposed plan allows for 143 parking spaces in lieu of the required 185 spaces as set forth in Petitioner's Exhibit 1. The Petitioner, through Mr. Lee, argued that the parking required could be 96 spaces if calculated using the fire department's maximum occupancy figures as was done in Case No. 88-273-A. Mr. Lee further testified that if the variance were granted the proposed parking would not be contrary to the spirit of the B.C.Z.R. and that a practical difficulty would result if the variance were denied. Additionally, he indicated that the proposed facility would not violate any of the criteria set forth in Section 502.1 of the B.C.Z.R.

Mr. Cornelius, an expert traffic engineer with the Traffic Group, Inc., testified that granting the Petitions for Special Exception and Zoning Variance would not adversely impact traffic in the area and would not be detrimental to the public good.

The Petitioner seeks relief pursuant to Zoning Policy Manual BM 22 and Section 502.1 of the B.C.Z.R.

A volunteer fire company is permitted by special exception in a B.L. zone and a permitted use in the B.R. zone. The zoning regulations are silent as to the location of a volunteer fire company in a B.M. zone.

#332 PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-479-XA The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 permitting 143 parking spaces in lieu of the required 185 parking spaces

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be determined at the hearing

E COUNTY, FINANCE - REV	PONTE 3-15-88 ACCOUNT \$ 220 E 20 E PROMITION TO THE TO THE TOOK TOOK TOOK TOOK TOOK TOOK TOOK TOO	P.O. Box 9661 Address Phone No. Baltimore, Maryland 21237 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Robert A. Hoffman
		3-4111 210 Allegheny Avenue, 823-4111
BA OFI	City and State Attorney's Telephone No.: 823 ORDERED By The Zoning Conformation of ARCH 19 required by the Zoning Law of Brown Baltimore County, that proper	i tract purchaser or representative to be contacted

County, on the 1ST day of JUNE, 1988, at 9 o'clock

Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT THO MONTHS

Policy BM 22 states ... "a volunteer fire company will be permitted in the B.M. zone by special exception." Therefore, it must be determined if the

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it Jappears that the special exception should be granted with certain restrictions as more fully described below.

The Petitioner seeks relief from Section 409.2 pursuant to Section 307 of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

conditions as delineated in Section 502.1 are satisfied.

such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. Pursuant to the advertisement, posting of the property, and pub-

It is clear from the testimony that if the variance is granted,

lic hearing on this Petition held, and for the reasons given above, the relief requested in the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of June, 1988 that the Petition for Special Exception to use the subject property for a volunteer fire department and community building, and the Petition for Variance to permit 143 parking spaces in lieu of the required 185 spaces, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reg versed, the Petitioner would be required to return; and be responsible for returning, said property to its original condition.

2) Should the Office of Zoning receive complaints regarding parking on the subject site, the Deputy Zoning Commissioner or the Zoning Commissioner may, in their discretion, schedule a special hearing to determine whether further restrictions are required.

> (MN Costrion. ANN M. NASTAROWICZ Deputy Zoning Commissioner

for Baltimore County

AMN:b a

*332 PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-479-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for _a Volunteer Fire Department and Community Building under Zoning Policy No. BM22

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: Rosedale Volunteer Fire Pepartment (Type or Print Name) 15th By: Coll Icca
Signature Dayld J. Sicca (Type or Print Name) City and State N.8,600 Attorney for Petitioner: E-29,200

P.O. Box 9661

Phone No. Robert A. Hoffman Baltimore, Maryland 21237 City and State 210 Allegheny Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted Robert A. Hoffman Towson, Maryland 21204 City and State 210 Allegehny Avenue, 823-4111 Attorney's Telephone No.: 823.4111

Address Towson, Maryland 21204 Phot

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 314 day MARCH 19 88 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15+ day of 101E, 1988, at 9 o'clock

Zoning Commissioner of Baltimore County. ESTIMATED LENGTH OF REARING (-1/25B) AVAILABLE FOR BEARING MON./TUES./WED. - NEXT TWO MONTHS ALL TOL REVIEWED BY

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

June 27, 1988

Robert A. Hoffman, Esquire Regan J. R. Smith, Esquire 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE S/S Philadelphia Road, 340' NE to the c/l of Chesaco Avenue 15th Election District; 7th Councilmanic District Rosedale Volunteer Fire Department - Petitioner Case No. 88-479-XA

Dear Messrs. Hoffman and Smith:

Enclosed please find the decision rendered on the above-referenced case. The Petitions for Special Exception and Zoning Variance have been granted with restrictions in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

1 MN-tenin ANN M. NASTAROWICZ Deputy Zeaing Commissioner for Baltimore County

AMN:bjs Enclosure cc: Mr. Mickey Cornelius

The Traffic Group, Inc., 414 E. Joppa Road, Towson, Md. 21204

Paul Lee Engineering, 304 W. Pennsylvania Avenue, Towson, Md. 21204 People's Counsel

File

Dennis F. Rasmussen

The

R RTIFICATE 9

UBL. H ICATIO

Baltimore County
Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines Zoning Commissioner

Date: 5-18-88

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for each set not

Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Res Petitions for Zoning Verience and Special Exception CASE NUMBER: 88-479-XA SS Philadelphia Road, 340° to c/l Chesaco Avanue 15th Election District - 7th Councilmenic District Petitioner(s): Rosedele Volunteer Fire Department HEARING SCHEDULED: WEDNESDAY, JUNE 1, 1988 at 9:00 a.m. Dennis F. Rasmussen

Dear Mr. Hoffmans

Please be advised that \$143.70 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 (ifteen (15) minutes before

No. 52676 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 1-01-615-000 NES

Stalm the sioner of B 136 **** 14370: 2 5314FCC

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER S/S Philadelphia Rd., 340° to OF BALTIMORE COUNTY C/L Chesaco Ave., 15th District

ROSEDALE VOLUNTEER FIRE

DEPARTMENT, Petitioner Case No. 88-479-XA

ENTRY OF APPEARANCE

1:1:1:1

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 29th day of April, 1988, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman,. Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

April 5, 1986

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Zaning Variance and Special Exception CASE MUREL IS BE-479-TA 95 Philadelphia Road, 340° to c/1 Chasses Avenue 15th Election District - 7th Councilments District Petitioner(e): Rosertale Volunteer Fire Department HEATING SCHEDULED: MEDNESDAY, JUNE 1, 1908 at Sall san,

Verience permitting 143 perking spaces in lieu of the required 185 perking spaces. Special Exceptions A Volunteer Fire Department and Community Building under Zoning

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Paltimore County oc: Devid J. Sloce

LAW OFFICES COOK, HOWARD, DOWNES & TRACY SIO ALLEGHENY AVENUE P.O. BOX 5517

JOHN B. HOWARD DAVID D. DOWNES DANIEL O'C. TRACY, JR. JOHN H. ZINK, III JOSEPH C. WICH, JR. HENRY & PECK, JR. HERBERT R. O'CONOR, III THOMAS L. HUDSON C. CAREY DEELEY, JR. M. KING HILL, 🎹 GEORGE K. REYNOLDS, III ROBERT A. HOFFMAN CYNTHIA M. HAHN

TOWSON, MARYLAND 21204 TELEPHONE (301) 823-4111 TELECOPIER (301) 821-0147 DIRECT DIAL NUMBER (301) 494-9162 March 18, 1988

JUDITH A. ARMOLD DEBORAH C. DOPKIN KATHLEEN GALLOGLY COX KEVIN H. SMITH J. MICHAEL BRENNAN H. BARRITT PETERSON, JR. KATHRYN L. KOTZ JAMES K. MACALISTER REGAN J. R. SMITH JAMES D. C. DOWNES

J. Robert Haines Zoning Commissioner of Baltimore County County Office Building, 1st Floor Towson, Maryland 21204

Re: Rosedale Volunteer Fire Company Petitions for Special Exception and Variance

Item No. 332 Dear Mr. Haines:

This firm represents the Rosedale Volunteer Fire Company ("the Fire Company") in their above referenced Petitions for Special Exception and Variance. The Fire Company plans to move from its current location at the intersection of Philadelphia Road and Hamilton Avenue to a new facility on property that is the subject of these Baltimore County in the fall of 1985.

The contractual obligations in the sale of the Fire Company's existing facility allow only ninety (90) days for the Fire Company to vacate those premises. Since it is anticipated that settlement will placed in early September, the new facility would have to be continuity of provision of this vital community service, a shortening of the hearing process would be of great assistance.

It is therefore, respectfully requested that an expedited hearing be granted in this case.

Thank you for your attention to this matter.

Yours truly, Robert A. Hoffman TOWING LICENSES

Towing licenses are permitted and approved only at properly zoned service garages or junk yards. All such sites must comply with the provisions of Section 405A. of the Baltimore County Zoning Regulations.

TRUCK AND CAR RENTAL AND TAXICABS

Truck and car rental and taxicab businesses may be permitted as a service garage use but must be in enclosed buildings in the B.L. zone.

BM-22 VOLUNTEER FIRE COMPANY

A volunteer fire company is permitted by special exception in the B.L. zone and a permitted use in the B.R. zone. In the B.M. zone there is no listing. Notwithstanding the fact that Section 233.1 states "Uses Permitted in B.L. zone" and the wording "and limited" was not used, a volunteer fire company will be permitted in the B.M. zone by special exception.

Note - If the applicant would disagree with this interpretation then they may file for a special hearing for a determination that it be considered a permitted use in the B.M. zone.

Paul Lon P.E.

Paul Leo Engineering Inc. 308 W. Pinnsylvania Ava Trasm, Maryland 21208

DESCRIPTION

ROSEDALE VOLUNTEER FIRE DEPARTMENT S/S PHILADEPHIA ROAD A N/S OLD PHILADELPHIA ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, located on the south side of Philadephia Road, said point being located 340 feet + Northeasterly from the center of Chesaco Avenue; thence binding on the south side of Philadelphia Road (1) North 57 30 00 East 211.31 feet; thence leaving said south side of Philadelphia Road (2) South 320304004 East 327.07 feet to the north side of Old Philadelphia Road, thence binding on the north side of Old Philadelphia Road (3) South $64^{\circ}48^{\circ}(8)^{\circ}$ West 316.87 feet, thence leaving said Old Philadelphia Road (4) North 110 26 took West 307.26 feet to the point of beginning.

Containing 1,879 acres of land, more or less.

Engineers - Surveyers - Site Planners 2/25/88

Pool Lon P. E.

4332

Paul Leo Engineering Inc. 308 W. Pinnsylvania Ava Trassa Maryland 21908 301-821-5941

March 30, 1988

Mr. Creston J. Mills, Jr. Bureau of Engineering Access Permits State Highway Administration P.O. Box 717 707 N. Calvert Street Baltimore, Maryland 21203

Re: Baltimore County- Item #332 18-479-X-7
Rosedale Volunteer Fire Department

Dear Mr. Mills:

Please find enclosed herewith three prints of the revised site plan for the zoning hearing reference to the above mentioned site. Please note that the plan has been revised to show the proposed curb and gutter and entrance change in accordance with your comments. I have also shown the poles located in Philadelphia Road.

Trusting the enclosed is satisfactory. If there are any questions, please do not hesitate to call.

Very truly yours,

Enclosures cc: Mr. J. Robert Haines, Mr. David Sicca, Mr. Regan Smith w/ enclosures

cc: David J. Sicca

LIDER 7 0 2 9 FOLIO 4 6 5

THIS DEED, Made this 22 day of October , 1985, by and between BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the first part; and THE ROSEDALE VOLUNTEER FIRE COMPANY, INC., a body corporate of the State of Maryland, party of the second part.

WHEREAS, Baltimore County, Maryland is the fee simple owner of the hereinafter described property by virtue of a deed dated October 11, 1982, from The Board of Education of Baltimore County to Beltimore County, Maryland, said deed being recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6679, folio 336; and

WHEREAS, the property hereinafter described was declared to be no longer needed for public use by the party of the first part; and

WHEREAS, upon recommendations made to and approved by the County Executive and County Council of Baltimore County on the 4th day of February, 1985, the bereinafter described property was granted unto the party of the second part upon such terms and conditions as may be deemed necessary or appropriate; and

WHEREAS, pursuant to Baltimore County Code, 1978 Edition, Title 2, entitled "Administration", Article 1, Section 2-1, and amendments thereto, the party of the first part is authorized and empowered to dispose of the hereinafter described property.

NOW THEREFORE WITNESSETH, that in consideration of the premises, there being no actual monetary consideration, BALTIMORE COUNTY, MARYLAND, a body corporate and politic, acting under and by virtue of the power and authority contained in Article 1, Section 2-1, as amended, of the Baltimore County Code, 1978 Edition, does hereby grant and convey unto The Rosedale Volunteer Fire Company, Inc., its successors and assigns, in fee simple, subject to the conditions and covenants hereinafter enumerated and set forth, all that percel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland, and being more particularly described as follows, that is to say:

BEGINNING for the same at a point on the Northwest side of Old Philadelphia Road, 50 feet wide, said point also being 25.20 feet from the end of the 2nd or South 32° 30' East 381 feet 2 inch line of a deed dated November 5, 1919, from Henry Sellier and wife to the Board of Education of Baltimore County and

סודונידות דונין ניין השיייים פוריים



BALT_AORE COUNTY, MARYL D

INTER-OFFICE CORRESPONDENCE

TO Zoning Commissioner

J. Robert Haines

P. David Fields, Director FROM Office of Planning & Zoning

SUBJECT Zoning Petition # 88-479-X

This is an appropriate location for the proposed facility. It should be noted, however, that the petitioner is required to either obtain CRG approval or obtain a waiver from CRG procedures.

Date May 23, 1988

PDF:bjs

CC: Shirley Hess, People's Counsel Zoning File

RECEIVED

ZONING OFFICE

recorded among the Land Records of Baltimore County in Liber W.P.C. No. 514, folio 332, thence running end binding on the Northwest side of Old Philadelphia.

Road, 50 feet wide, South 64 48. West 316.87 feet to a point 25.74 feet from the beginning of the last or North 11 26 West 363 feet 7 inch line of the aforesaid deed, thence running and binding on said last line North 11 26 West 307.26 feet to a point on the Southeast side of Philadelphia Road (Maryland . Route 7) thence running and binding on the Southeast side of Philadelphia Road North 57° 30° East 211.31 feet to a point on the aforesaid 2nd line, thence running and binding on said 2nd line South 32° 30° East 327.07 feet to the place of beginning. Containing 81,831 square feet or 1.879 acres of land, more or less. All as shown crosshatched and indicated "Area To Be Released" on the Department of Public Works, Bureau of Land Acquisition Drawing No. SP 15-159-1, which is attached hereto and made a part hereof.

RESERVING, however, unto Baltimore County, Maryland, its successors and assigns, a utility easement area containing 1,650 square feet (0.038 acre), more or less, as shown and indicated "10 Right-of-Way (See RW 54-033; G.L.B. 2500 395) to be retained" on the aforesaid Drawing No. SP 15-159-1, which is attached hereto and made a part hereof.

FURTHER RESERVING unto Baltimore County, Maryland, its successors and assigns, the right and privilege of entering upon the aforesaid utility easement containing 1,650 square feet (0.038 acre), more or less, whenever it may be necessary, to make openings and excavations, and to lay, construct or maintain said municipal utilities and appurtenances; provided, however, that the ground shall be restored and left in good condition; and the party of the second part further agrees that no buildings or similar structures of any kind shall be erected in, on or over the said easement by the party of the second part, its successors and assigns; nor shall the existing grade be changed without prior approval of Baltimore County Bureau of Engineering.

BEING a portion of the property described in a deed dated October 11, 1982 from the Board of Education of Baltimore County to Baltimore County, Maryland, said deed being recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6679, folio 336.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the land and premises hereinbefore described and mentioned and hereby intended to be conveyed, together with the rights. privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of The Rosedale Volunteer Fire Company, Inc., a body corporate of the State of Maryland, its successors and assigns, in fee simple, subject to the conditions and covenants herein enumerated and set forth,

88-479-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building

111 W. Chesapeake Avenue Towson, Maryland 21204

April 5, 1988

Your petition has been received and accepted for filing this

Rosedale Volunteer

Petitioner Fire Department Petitioner's Attorney Robert A. Hoffman Received by: James R. Dver Chairman, Zoning Plans

Advisory Committee

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Dennis F. Rasmussen

Re: Property Owner: Rosedale Volunteer Fire Department

Location: S/S Philadelphia Rd., 340' to c/1 Chesaco Avenue

Item No.: 332

Zoning Agenda: Meeting of 3/22/88

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

". It is understood and agreed by and between the Grantor and Grantee, and " Grantee by acceptance of this deed does acknowledge that it fully understands the terms and conditions set forth herein and does further covenant and agree for itself, and its successors and assigns, forever, as follows:

1. The hereinabove described property shall REVERT to the Grantor, its successors and assigns, in the event that the construction of the proposed Rosedale Volunteer Fire Department facility HAS NOT commenced on the aforesaid. property within FIVE (5) YEARS of the date of this instrument.

All right, title and interest in and to the said premises shall revert to and become the property of the Grantor, its successors and assigns, and the Grantor, its successors and assigns shall have the right of entry upon said premises, and the Grantee, its successors and assigns, shall forfeit all right, title and interest in said premises and in any and all of the tenements, hereditaments and appurtenances thereunto belonging.

2. Upon completion of the construction of the Rosedale Volunteer Fire Department facility, the aforementioned REVERTER CLAUSE shall be EXTINQUISHED and the Grantor, its successors and assigns, shall execute an instrument of release of all of its right, title and interest in and to said property and record said instrument among the Land Facords of Baltimore County at the expense of the Grantee herein, its successors and assigns.

AND, the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, other than hereinabove stated, to encumber the property hereby conveyed; that it will warrant specially property granted and that it will execute such further assurances of the same as may be requisite.

AS WITNESS the Corporate Seal of Baltimore County, Maryland and the signature of DONALD P. HUTCHINSON, County Executive of Baltimore County, attested by its secretary.

Service of the first of the service of the control of the control

STATE OF MARYLAND, BALTIMORE COUNTY, to with I HEREBY CERTIFY that on this 27 day of . Thereby. year 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ... DONALD P. HUTCHINSON, County Executive of Baltimore County, and he acknowledged the foregoing Deed to be the act of said body corporate and

AS WITNESS my Hand and Notarial Seal.

The Rosedale Volunteer Fire Company, Inc.

The foregoing conveyance is hereby accepted and the undersigned agrees, by this acceptance, to assume and be bound by all the obligations, conditions, covenants and agreements therein contained.

Acct. No. 15-02-574050

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HERESY CERTIFY that on this 24 day of Lept, in the year 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared JACK R. MAZZA, President of The Rosedale Volunteer Fire Company, Inc., and he acknowledged acceptance of the foregoing deed to be the act of said body corporate.

AS WITNESS my Hand and Notarial Seal

Two play is converte phone series and surveys the Courses and Surveys the Courses and Surveys the Courses and Surveys the Courses and Surveys and Surveys Courses in the Sale mercade of Surveys of Sale mercade of Surveys and Surveys an THILADELPHIA ROUTERT (STATE ROUTE - D'Right of wing (but RW 54.033; 56.52520 395) to be retained. BALTIMORE COUNTY MARYLAHOX (EHK,Jr 6679.596 AREA TO BE RELEASED 81.831 SIR 1.879 AREA TO BE RETAINED 8,038 39 Ft. 0.135 Ac UTILITY EASEMENT AREA TO BE RETAINED . AREA TO BE RETAINED PHILADELPHIA ROAD BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION SCALE: 150' SHEET / OF / PLAT TO ACCOMPANY ACQUISITION OF DISTRICT NO. 1566 AREA TO BE RELEASED AREA TO SE ACQUIRED CONSTRUCTION PLAN NO.

BUREAU OF LAND ACQUISITION FEDERAL PROJECT NO. MARYLAND PROJECT NO. . . DIVISION OF DRAFTING Edge Stora ·0· CHECKED JULY RWSP 15.159.1

EXCEEDS the maximum allowed by the Fire Department.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 16, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120 000

210 Allegheny Avenue

Health Department Project Planning Building Departmen

Board of Education Soning Administrati Industrial Development

Robert A. Hoffman, Esquire Towson, Maryland 21204

> RE: Item No. 332 - Case No. 88-479-XA Petitioner: Rosedale Volunteer Fire Department Petition for Zoning Variance and Special Exception

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled acccordingly.

Very truly yours,

games E. Dyer/se JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:dt Enclosures

cc: Paul Lee Engineering, Inc.

304 West Pennsylvania Avenue Towson, Maryland 21204

frontage of their property must be obtained. Also, the proposed entrance to the west must be changed to 25' and all existing utility poles must be shown on the plan. It is requested these revisions be made prior to a hearing date being set. If you have any questions, please contact Larry Brocato of this office (333-1350). Very truly yours, Creston J. Mills, Jr. Acting Chief-Bureau of Engineering Access Permits LB/es cc: Paul Lee Engineering Inc. MAR 25 1988 My telephone number is (301) 333-1350 ZOINING OFFICE Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

After reviewing the submittal for a variance to permit 143 parking spaces in lieu of the required 185 parking spaces, and a

special exception for a volunteer fire department and community

must be shown on the plan, otherwise, a written agreement from

both adjacent property owners to construct curb and gutter on the

building, the State Highway Administration-Bureau of Engineering

A 5' tangent section from both the east and west property

Maryland Department of Transportation

State Highway Administration

Access Permits has the following comments.

Mr. J. Robert Haines

Zoning Commissioner

Att: James Dyer

Dear Mr. Haines:

County Office Building

Towson, Maryland 21204

Regan Smith Pricker Ganelius Dave Sicca Paul Lee	ADDRESS 210 Allegheng for 210 Allegheng tre 414 E. JOPPA RO. 7830 Philadephia Rd. 304 W. PENNA. AUR
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	-

Paul Leo Engineering Inc. 304 W. Punnylvania Aca. Touson, Maryland 21204

RECEIVED ZONING OFFICE DATE: 43/4 B

June 1, 1988

301 821 5941

Ms Ann Nastarowicz Deputy Zoning Commissioner Office of Planning & Zoning Baltimore County 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Rosedale Volunteer Fire Department Сане #88-479-ХА

Dear Ms Nastarowicz:

Paul Lon P.E.

Please find enclosed herewith 2 copies of the revised Site Plan for the Zoning Petition reference to the above mentioned site.

Please note that I have added to the drawing the alternate parking study based on the maximum number of people permitted in the hall under the Fire Department regulations. As Y had indicated in the Hearing, my assumption for determining the maximum number of people permitted in the hall was based on 15 square feet per person in the seating area of 7,700 square feet and 7 square feet per person for a dancing area of 400 square feet. These figures projected to 572 persons, and based on one parking space per 6 persons, 96 parking spaces would be required in the hall area. A total of 119 parking spaces would be required for the complete building.

I trust the enclosed is satisfactory. If there are any questions, please do not hesitate to contact this office.

> Yours sincerely, Poul Les

Paul Lee

PL:tl Enclosures cc: Mr. Robert Hoffman w/enc. Mr. David Sicca w/enc.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Townson, Maryland 21204

Richard H. Trainor

Hal Kassoff

March 23, 1988

RE: Baltimore County

Rosedale Volunteer

Zoning meeting 3/22/88

S/S Phladelphia Road

Fire Department

Maryland Route 7

340 east of

Item #332

Chesaco Avenue



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Item No. 332 Property Owner: Location: Existing Zoning:

District:

Meeting of March 22, 1988
Rosedale Volunteer Fire Department SS Philadelphia Rd., 340° to c/1 of Chesaco

B.M. - B.L. - C.S.A. Variance to permit 143 parking spaces in lieu of the required 185 parking spaces. Special Exception for a Volunteer Fire Department and Community Building. 1.879 acres (+ or -)

15th Election District

Dear Mr. Haines:

The requested parking variance can be expected to cause parking problems in the area around the site.

Access to Philadelphia Road will be subject to the State Highway Administration's approval.

> Very truly yours, Michael S. Flanigan Traffic Engineer Associate II

MSF/pml-b



BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 332, Zoning Advisory Committee Meeting of March 22 1998 Property Owner: Rasedale Volunteer Fire Department
Location: 5/5 flile. Rd. 340' to cl of Clasaco Ave. District Water Supply metro _Sewage Disposal__ COMMENTS ARE AS FOLLOWS:

(17 Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Flans Review Section, Bureau of Regional Community Services, for final review

(17 Prior to new installation's of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins. A permit to construct from the Bureau of Air Quality Management is required for such items : spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the etmosphere.

() A permit to construct from the Sureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface eres of five (5) square feet or sore. () Prior to approval of a Building Fermit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of

Health and Hental Hygiene for review and approval. () Prior to any new construction or substantial elestation of public awimming pool, wading pool, bathhouse, saunes, whiripools, hot tube, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimorm County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.

) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.) Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes, Petitioner must contact the Sureau of Air Quality Management regarding removal of asbestos, 494-3775.) Any abendoned underground storage tanks containing gasoline, waste oil, solvents, etc., sust have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Frior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.

Water and Sewer to determine whether additional tests are required.) Where water wells are to be used as a source of water supply, a well meeting the minimum Beltimore

County Standards must be drilled,) In accordance with Section 13-117 of the Beltimore County Code, the water well yield test) shall be valid until
) is not acceptable and must be retested. This must be accomplished prior to conveyance

of property and approval of Building Fermit Applications.) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.) If submission of plans to the County Review Group is required, a Hydrogeological Study and an nvironmental Effects Report must be submitted.

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

